UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.237/19
10 April 1992

ORIGINAL: ENGLISH

INTERGOVERNMENTAL NEGOTIATING
COMMITTEE FOR A FRAMEWORK
CONVENTION ON CLIMATE CHANGE
Fifth session, second part
New York, 30 April-8 May 1992
Agenda item 1

ANNOTATIONS TO THE QUESTIONS FOR CONSIDERATION AT THE SECOND PART OF THE FIFTH SESSION

Note by the Executive Secretary

I. QUESTIONS FOR CONSIDERATION AT THE SECOND PART OF THE FIFTH SESSION

1. At the 4th plenary meeting of the first part of its fifth session, on 28 February 1992, the Committee noted that certain items from its agenda would remain open for consideration and action at the second part of the session. These items are listed hereunder, with their original numbers:

1. Organizational matters:

(b) Organization of work;

(c) Future work:

(iii) Report to UNCED by the Chairman, on behalf of the Committee.

3. Completion of a framework convention on climate change.

4. Review of extrabudgetary funds:

(a) Special voluntary fund to support the participation of developing countries;

(b) Trust fund for the negotiating process.

5. Adoption of the report.

II. ANNOTATIONS TO THE QUESTIONS FOR CONSIDERATION AT THE SECOND PART OF THE FIFTH SESSION

2. By its resolution 45/212 of 21 December 1990, the General Assembly decided "to establish a single intergovernmental negotiating process under the auspices of the General Assembly, supported by the United Nations Environment Programme and the World Meteorological Organization, for the preparation by an Intergovernmental Negotiating Committee of an effective framework convention on climate change, containing appropriate commitments, and any related instruments as might be agreed upon".

3. By its resolution 46/169 of 19 December 1991, the General Assembly urged the Intergovernmental Negotiating Committee "to expedite and successfully complete the negotiations as soon as possible and to adopt the framework convention on climate change, containing appropriate commitments and any related legal instruments as may be agreed upon, in time for it to be opened for signature during the United Nations Conference on Environment and Development".

4. The Committee has held five sessions, as follows:

- First session, Washington, D.C., 4-14 February 1991 (A/AC.237/6 and Corr.1)
- Second session, Geneva, 19-28 June 1991 (A/AC.237/9)
- Third session, Nairobi, 9-20 September 1991 (A/AC.237/12)
- Fourth session, Geneva, 9-20 December 1991 (A/AC.237/15 and Corr.1)
- Fifth session, first part, New York, 18-28 February 1992 (A/AC.237/18 (Part I))

5. The second part of the fifth session of the Intergovernmental Negotiating Committee will be held at United Nations Headquarters, New York, from 30 April to 8 May 1992. The session will be opened by the Chairman of the Committee on 30 April 1992, at 10.30 a.m., in Conference Room 3.

1. Organizational matters

(b) Organization of work

Participation

6. By paragraph 2 of its resolution 45/212, the General Assembly decided that "the Intergovernmental Negotiating Committee should be open to all States Members of the United Nations or members of the specialized agencies, with the participation of observers in accordance with the established practice of the General Assembly".

7. Confirmation of the date and venue of the second part of the fifth session has been communicated to all participating States, as well as to observers. Efforts are being made to disseminate this information and the documentation for the session as widely as possible to facilitate full and effective participation (see Committee decision 1/2, para. 6).

8. In paragraph 19 of its resolution 45/212, the General Assembly invited "relevant non-governmental organizations to make contributions to the negotiating process, as appropriate, on the understanding that these organizations shall not have any negotiating role during the process and taking into account decision 1/1 concerning the participation of non-governmental organizations adopted by the Preparatory Committee for the United Nations Conference on Environment and Development at its first session". 1/

9. In this connection, the attention of the Committee is drawn to decision 2/1 adopted by the Preparatory Committee for the United Nations Conference on Environment and Development at its second session, held at Geneva from 18 March to 5 April 1991, 2/ and its subsequent accreditation of non-governmental organizations.

Subsidiary organs

10. At its first session, by its decision 1/1, the Committee established two working groups and determined their tasks. The two working groups started to function during the second session of the Committee and continued through the third and fourth sessions and the first part of the fifth session. At the final plenary meeting of the first part of the fifth session, the Chairman expressed the view that the potential of the working groups had been fully utilized. He considered that the organization of the second part of the fifth session should be centred in plenary, that the working groups should be held in suspense and that transparent informal consultations should be held as needed under his authority. As he indicated then, the Chairman would make detailed proposals on the organization of negotiations at the start of the second part of the session.

Schedule of meetings

11. The scheduling of meetings for the second part of the fifth session will be based on the availability of facilities during normal working hours, when services are available for up to two simultaneous meetings with interpretation from 10 a.m.-1 p.m. and 3 p.m.-6 p.m. Alternative meeting configurations are als possible within the limit of the services available. There will also be some facilities for informal meetings without interpretation. Delegations are urged to use these services fully by starting all meetings promptly at the scheduled time.

12. The attention of delegations is drawn to the fact that a full working day is scheduled on Saturday, 2 May.

Timetable

13. A detailed timetable for the second part of the fifth session will be proposed in due course, in the light of consultations by the Chairman.

(c) Future work:

(iii) Report to UNCED by the Chairman on behalf of the Committee

14. Paragraph 18 of General Assembly resolution 45/212 requests the Chairman of the Intergovernmental Negotiating Committee, on behalf of the Committee, to "submit a report to the United Nations Conference on Environment and Development in 1992 on the outcome of the negotiations, as well as on possible future steps in the field of climate change". Paragraph 8 of General Assembly resolution 46/169 reiterates that request. The Chairman will undertake consultations on this matter.

3. Completion of a framework convention on climate change

15. At the end of the first part of its fifth session, the Committee had before it a revised text under negotiation (A/AC.237/Misc.20), which had been prepared by the secretariat under the guidance of the Chairman of the Committee and the Co-Chairmen of the working groups. An edited version of the document is before the Committee, contained in annex II to the report of the Committee on the work of the first part of its fifth session (A/AC.237/18 (Part I)). This text provides the basis for the completion of the convention.

16. In addition, the Committee accepted the proposal of the Chairman that the Executive Secretary should carry out a technical review of the revised text under negotiation, on the basis of which the Chairman might make proposals to the Committee concerning ways of resolving certain questions (A/AC.237/18 (Part I), para. 58). The technical review will be before the Committee in document A/AC.237/Misc.21 and Add.1.

17. It will be recalled that the Office of Legal Affairs has advised that the adoption of the Convention by the Committee would be governed by the Committee's rules of procedure.

4. Review of extrabudgertary funds

(a) Special voluntary fund to support the participation of developing countries

18. By its resolution 45/212, paragraph 10, the General Assembly established "a special voluntary fund, administered by the head of the ad hoc secretariat under the authority of the Secretary-General of the United Nations, to ensure that developing countries, in particular the least developed among them, as well as small island developing countries, are able to participate fully and effectively in the negotiating process". The Executive Secretary is making

arrangements to finance participation in the second part of the fifth session of the Committee from the special voluntary fund, following the same lines as for previous sessions.

(b) Trust fund for the negotiating process

19. The General Assembly, by its resolution 45/212, paragraph 20, decided that "the negotiating process shall be funded through existing United Nations budgetary resources, without negatively affecting its programmed activities, and through voluntary contributions to a trust fund established specifically for the purpose for the duration of the negotiations".

20. The Executive Secretary will provide a report to the Committee on the state and use of these two funds (A/AC.237/20).

5. Adoption of the report

21. The Vice-Chairman acting as Rapporteur will prepare a draft report for consideration by the Committee, following consultations, in accordance with established practice, on the model of the report on previous sessions.

Notes

1/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 46 (A/45/46), annex I, decision 1/1.

2/ Official Records of the General Assembly, Forty-sixth Session, Supplement No. 48 (A/46/48), annex I, decisions 2/1 and 2/2.

ANNEX I

List of documents for the second part of the fifth session of the Intergovernmental Negotiating Committee

Documents for the session

A/AC.237/18 (Part I)	Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of the first part of its fifth session held at New York from 18 to 28 February 1992
A/AC.237/19	Annotations to the questions for consideration at the second part of the fifth session
A/AC.237/20	Review of extrabudgetary funds
A/AC.237/Misc.21 and Add.1	Technical review of the revised text under negotiation

Other documents available at the session

A/AC.237/5	Rules of procedure
A/AC.237/6 and Corr.1	Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of its first session, held at Washington, D.C., from 4 to 14 February 1991
A/AC.237/9	Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of its second session, held at Geneva from 19 to 28 June 1991
A/AC.237/12 and Corr.1	Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of its third session, held at Nairobi from 9 to 20 September 1991
A/AC.237/15 and Corr.1	Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of its fourth session, held at Geneva from 9 to 20 December 1991

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A/46/48 (Parts I and II)	Report of the Preparatory Committee of the United Nations Conference on Environment and Development at its second and third sessions

Available for reference purposes

General Assembly resolutions

46/169	Protection of global climate for present and future generations of mankind (19 December 1991)
45/212	Protection of global climate for present and future generations of mankind (21 December 1990)
45/211	United Nations Conference on Environment and Development (21 December 1990)
44/228	United Nations Conference on Environment and Development (22 December 1989)
44/207	Protection of global climate for present and future generations of mankind (22 December 1989)
43/53	Protection of global climate for present and future generations of mankind (6 December 1988)

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A/45/696/Add.1	Report of the Secretary-General on progress achieved in the implementation of resolution 44/207 on protection of global climate for present and future generations of mankind (final statement of the scientific/technical session of the Second World Climate Conference and Ministerial Declaration of the Conference)

Regional intergovernmental meetings

A/CONF.151/PC/10	Action for a common future. Report of the Economic Commission for Europe on the Bergen Conference (8-16 May 1990)
A/CONF.151/PC/38	Report of the Economic and Social Commission for Asia and the Pacific on the Ministerial-level Conference on Environment and Development in Asia and the Pacific (Bangkok, 15 and 16 October 1990)
A/CONF.151/PC/L.30	Tlatelolco Platform on Environment and Development, adopted by Ministers of the Latin American and Caribbean countries at the end of the Regional Preparatory Meeting of the United Nations Conference on Environment and Development (Mexico City, 7 March 1991)

A/CONF.151/PC/85	Beijing Ministerial Declaration on Environment and Development adopted at the Ministerial Conference of Developing Countries on Environment and Development on 19 June 1991
INC/FCCC/None No. 31 (English and French)	Documents from the Second Regional African Ministerial Preparatory Conference on Environment and Development, held at Abidjan from 11 to 14 November 1991